

1 Kathryn G. Spelman, Esq. (SBN 154512)
2 kspelman@mount.com
3 Daniel H. Fingerman, Esq. (SBN 229683)
4 dfingerman@mount.com
5 MOUNT & STOELKER, P.C.
6 River Park Tower, Suite 1650
7 333 West San Carlos Street
8 San Jose, CA 95110-2740
9 Telephone: (408) 279-7000
10 Fax: (408) 998-1473
11 Attorneys for Plaintiff
12 SAN FRANCISCO TECHNOLOGY INC.

13 Talley E. McIntyre (SBN 203131)
14 therry@nixonpeabody.com
15 NIXON PEABODY LLP
16 One Embarcadero Center, 18th Floor
17 San Francisco, California 94111-3600
18 Telephone: (415) 984-8200
19 Fax: (415) 984-8300

20 Maia H. Harris (*Pro Hac Vice*)
21 mharris@nixonpeabody.com
22 NIXON PEABODY LLP
23 100 Summer Street, 25th Floor
24 Boston, MA 02110
25 Telephone: (617) 345-1000
26 Fax: (877) 670-8148
27 Attorneys for Defendant
28 SCHICK MANUFACTURING INC.

19
20 UNITED STATES DISTRICT COURT
21
22 NORTHERN DISTRICT OF CALIFORNIA
23
24 SAN JOSE DIVISION

25 SAN FRANCISCO TECHNOLOGY INC.,

26 No. CV10-02994-HRL

27 Plaintiff,

28 vs.
29 AERO PRODUCTS INTERNATIONAL INC.;
30 BP LUBRICANTS USA INC.; BRK BRANDS
31 INC.; CALICO BRANDS INC.; COOPER
32 LIGHTING LLC; DAREX LLC; DEXAS
33 INTERNATIONAL LTD.; DYNA-GRO
34 NUTRITION SOLUTIONS; FISKARS BRANDS
35 INC.; GLOBAL CONCEPTS INC.; HOMAX
36 PRODUCTS INC.; KIMBERLY-CLARK
37 CORPORATION; KRACO ENTERPRISES
38 LLC; LIXIT CORPORATION; MEAD

JOINT STIPULATION AND [PROPOSED]
ORDER REGARDING SEVERANCE OF
CLAIMS AGAINST SCHICK
MANUFACTURING INC.

Judge: Hon. Jeremy Fogel

Complaint Filed: July 8, 2010

1 WESTVACO CORPORATION; NUTRITION 21
2 INC.; OATEY CO.; OPTIMUM
3 TECHNOLOGIES INC.; NEWELL
4 RUBBERMAID INC.; SCHICK
5 MANUFACTURING, INC.; THE SCOTTS
6 COMPANY LLC; STERLING
7 INTERNATIONAL INC.; VITAMIN POWER
8 INCORPORATED; WOODSTREAM
9 CORPORATION; 4-D DESIGN INC,

10 Defendants.

11 Plaintiff San Francisco Technology, Inc. and Defendant Schick Manufacturing Inc. ("Schick")
12 hereby stipulate and agree that Defendant Schick shall be severed from this case. This stipulation is
13 made in light of the Court's ruling in *San Francisco Technology, Inc. v. The Glad Products Co.*, 2010
14 U.S. Dist. Lexis 83681 (N.D. Cal. 2010), where the Court determined that severance is appropriate in
15 a similar situation. Subject to the Court's approval, the parties request that the Clerk open a new case
16 number in *San Francisco Technology, Inc. v. Schick Manufacturing Inc.*

17 DATED: September 16, 2010

18 NIXON PEABODY LLP

19 /s/ Talley E. McIntyre

20 By: _____
21 Talley E. McIntyre
22 Attorneys for Defendant
23 SCHICK MANUFACTURING, INC.

24 DATED: September 16, 2010

25 MOUNT & STOELKER, P.C.

26 /s/ Daniel H. Fingerman

27 By: _____
28 Daniel H. Fingerman
29 Attorneys for Plaintiff
30 SAN FRANCISCO TECHNOLOGY INC.

1 In accordance with General Order No. 45, Rule X, I, Talley E. McIntyre attest that
2 concurrence in the filing of this document has been obtained from each signatory hereto.
3

4 DATED: September 16, 2010

NIXON PEABODY LLP

5 By: /s/ Talley E. McIntyre
6

7 Talley E. McIntyre
8 Attorneys for Defendant
9 SCHICK MANUFACTURING, INC.

10 **PURSUANT TO STIPULATION, AND GOOD CAUSE APPEARING THEREFOR, IT IS SO**
11 **ORDERED**

12 Dated: 9/27/10

13 By

14 
15 The Honorable Jeremy Fogel